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Saturday, June 29, 2002

Forensic expert hired to review Owensby case

By Gregory Korte, gkorte@enquirer.com
and Jane Prendergast, jprendergast@enquirer.com
The Cincinnati Enquirer

The city of Cincinnati has hired a national forensic expert — renowned for his research into high-profile deaths — to review what killed Roger Owensby Jr.

A soon-to-be-released report by Dr. Cyril H. Wecht, coroner in Allegheny County, Pa., could help the city's Office of Municipal Investigation resolve competing theories on Mr. Owensby's cause of death after he was arrested in Roselawn in November 2000.

The city wants to know whether Cincinnati police officers involved in the arrest "committed any administrative or procedural violations," said OMI Director Mark Gissiner, who has described the Owensby case as the most complicated his office has ever handled.

"Given the difficult circumstances in this case, we wanted a second opinion from a doctor who is well respected nationally," Mr. Gissiner said. "It's not unlike someone facing major surgery who wants a second opinion."

Dr. Wecht's inquiry could further complicate a case that continues to unravel with new revelations that have increased the political pressure on Hamilton County Prosecutor Michael Allen to reopen the criminal case.

Mr. Owensby, 29, died at a Roselawn gas station after officers struggled to arrest him, sprayed him with chemical irritant, brought him to the ground, handcuffed him and put him in the back of a cruiser.

Hamilton County Coroner Dr. Carl Parrott labeled his death "mechanical asphyxiation" and said officers likely either piled on him or used a choke hold.

A lawyer for Officer Robert "Blaine" Jorg disputes that, saying in a \$30 million federal lawsuit filed last month that his

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client was made a "scapegoat" in a racially charged case. He intends to prove that Mr. Owensby's death came not from asphyxiation, but from an unrelated "cardiac event."

Officer Jorg, who has since resigned and now works in Clermont County's Pierce Township, is white; Mr. Owensby was black.

Officer Jorg and a co-defendant, Patrick Caton, were indicted in the death and tried. Both were found not guilty of assault, but the jury was hung on Officer Jorg's charge of involuntary manslaughter. Mr. Allen has thus far elected not to retry Officer Jorg.

Most recently, Chief Tom Streicher put Officer Victor Spellman on desk duty, saying he admitted lying about what Officer Jorg — his training officer — told him about the head lock he had on Mr. Owensby.

Dr. Wecht will review autopsy records, tissue samples, court transcripts and officers' statements, Mr. Gissiner said.

The Pittsburgh coroner's expertise has been used in cases including the Branch Davidian fire in Waco and the suicide of Vincent Foster, the deputy White House counsel who killed himself in the wake of the Clinton Whitewater and travel office scandals. He also wrote a book about the disappearance of JonBenet Ramsey.

Two lawsuits, two internal investigations by the Cincinnati Police Department and OMI's review are also pending in the case.

The Owensby family has filed a federal wrongful death lawsuit, hoping to get the justice they say they were denied in the county court system.

An internal investigation was supposed to be completed in April. Police officials say it will be released soon, but will not discuss the issue until then.

Dr. Wecht's fee in similar cases is about \$5,000. He has not yet billed the city.

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